

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Respondent,

No. CR S-04-0471 GEB KJM

vs.

JOSE MANUEL PARRA-ROSALES,

Movant.

FINDINGS AND RECOMMENDATIONS

Movant is a former federal prisoner¹ proceeding pro se with an application for writ of habeas corpus under 28 U.S.C. § 2255. Because movant has failed to provide the court with his address since he has been released, the court will recommend that this action be dismissed under Local Rules 11-110, 83-183(f) and Federal Rule of Civil Procedure 41(b).

Accordingly, IT IS HEREBY RECOMMENDED that:

1. Movant's application for writ of habeas corpus under 28 U.S.C. § 2255 be dismissed; and

2. The clerk of the court be directed to close the companion civil case No. CIV-S-05-2330 GEB KJM P.

¹ A review of the Federal Bureau of Prisons website indicates that movant was released over a year ago.

1 These findings and recommendations are submitted to the United States District
2 Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within twenty
3 days after being served with these findings and recommendations, any party may file written
4 objections with the court and serve a copy on all parties. Such a document should be captioned
5 “Objections to Magistrate Judge’s Findings and Recommendations.” Any reply to the objections
6 shall be served and filed within ten days after service of the objections. The parties are advised
7 that failure to file objections within the specified time waives the right to appeal the District
8 Court’s order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

9 DATED: December 11, 2008.

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11 U.S. MAGISTRATE JUDGE

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